

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8138-06EX
Page 13

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

PENDING CLAIMS

Claims 35-52 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 35-62 will be pending for further consideration and examination in the application.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of claims 35-52 as being unpatentable over Suzuki (U.S. Patent 4,845,703) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8136-06EX
Page 14

reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

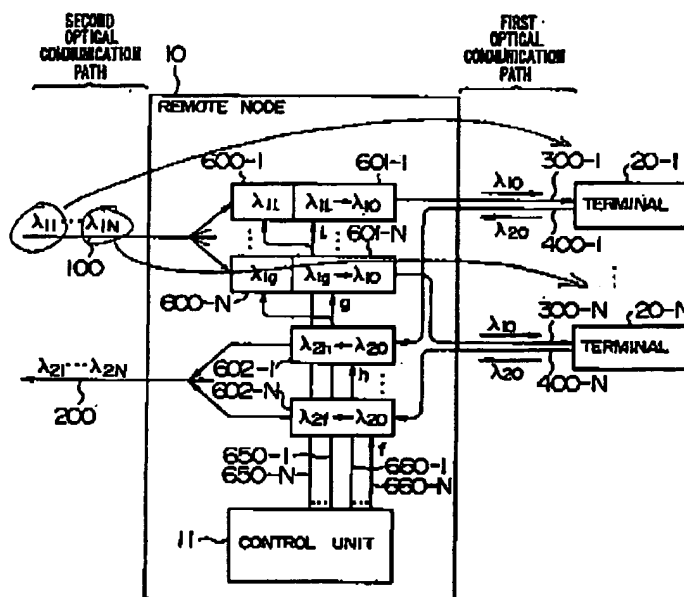
In order to properly support a §103 obviousness-type rejection, the reference not only must suggest the claimed features, but also must contain the motivation for modifying the art to arrive at an approximation of the claimed features. However, the cited art does not adequately support a §103 obviousness-type rejection because it does not, at minimum, disclose (or suggest) the following limitations of Applicant's clarified claims.

Applicant's disclosed and claimed invention is directed to transmission arrangements (e.g., apparatus, methods, systems, etc.) adapted to receive a plurality of optical signals, and to direct ones of those optical signals to appropriate destination apparatuses. To designate a specific destination apparatus, each optical signal (of the plurality of optical signals) has a different optical frequency which specifically designates it for the specific destination apparatus. For example, referencing Applicant's FIG. 1 (reproduced below for convenience), an incoming signal with optical frequency λ_{11} (see encircled with arrow designator) would be designated for destination terminal 20-1, for example, while an incoming signal with optical frequency λ_{1N} (see encircled with arrow designator) would be designated for destination terminal 20-N.

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CG4 / B8136-06EX
Page 15

FIG. 1



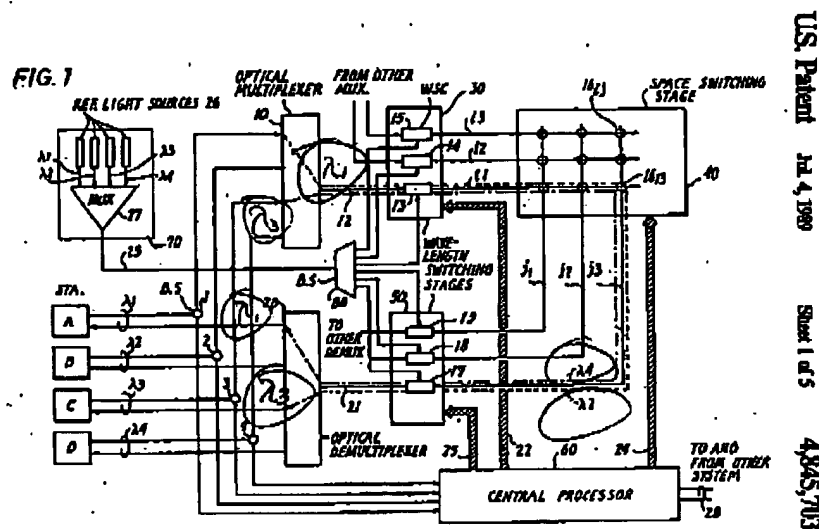
The important point to understand, is that specific frequencies of incoming signals correspond (i.e., designate) specific destination apparatus.

Applicant's arrangements look at the incoming frequency, and designate it accordingly to a proper destination apparatus.

In terms of distinguishing claim language, independent claim 35 (and claims dependent therefrom), for example, recites: "an optical frequency selection unit for selecting an optical signal of a first optical frequency corresponding to a second apparatus among said plurality of apparatuses from said plurality of optical signals received from said first apparatus; and, an optical frequency conversion unit for converting said first optical frequency to a second optical

500.30802CC4 / B8138-06EX
Page 16

Turning now to rebuttal of Suzuki '703, Suzuki fails to adequately support the obviousness-type rejection, because a frequency of Suzuki's incoming or input optical signal HAS NO CORRESPONDENCE WHATEVER TO A DESTINATION APPARATUS. More particularly, referencing Suzuki's FIG. 1 (reproduced below for convenience), Suzuki's column 6, line 59, through column 7, line 40, text, describes an example where Suzuki's terminal A communicates to terminal C, and then terminal C returns a communication to terminal A.



In the communication from terminal A to terminal C (as shown by the dashed "-----" communication path, first λ_1 (see circled) is used between terminal A and the component 30, then λ_2 (see circled) is used in the switching path between components 30 and 50, and λ_3 (see circled) is used between component 50 and

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8136-06EX
Page 17

terminal C. It is important to recognize/understand that the frequency of the incoming signal λ_1 has absolutely nothing to do with designating a specific destination apparatus in Suzuki.

Instead of an incoming frequency controlling the designation of a destination, as described in Suzuki's column 6, line 62, through column 7, line 36, text, the processor 60 receives destination information with respect to an impending communication, and controls the Suzuki system accordingly. More particularly, as described in the example Suzuki text, the terminal A informs the processor 60 of the impending communication to terminal C, and then processor 60 controls the appropriate multiplexing/switching/de-multiplexing accordingly. The processor 60 controls the final conversion to λ_3 (dedicated to terminal C) based solely upon the destination information informed to it by the terminal A, irrespective or regardless of the frequency of the incoming signal for the resultant communication.

The example could just have easily been from any of terminals B or D to terminal C, with these terminals B and D supplying the differing incoming frequencies corresponding to λ_2 and λ_4 , respectively. Accordingly, any one of incoming frequencies corresponding to λ_1 , λ_2 and λ_4 in the Suzuki arrangement could be destined for terminal C. As long as the terminal A, B or D told the processor 60 that it's communication was destined for terminal C, such communication would arrive at terminal C.

Independent claim 42 concerns the reverse communication path from those of independent claims 35 and 46, i.e., while claims 35 and 46 concern

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8136-06EX
Page 18

communication inbound to a destination terminal, claim 42 concerns communication outbound from the destination terminal. Independent claim 42 also contains features/limitations designating a specific outbound frequency to a specific "transmitting" destination terminal, accordingly, the above arguments concerning claims 35 and 46 equally apply to independent claim 42 and claims dependent therefrom.

In short, **a frequency of Suzuki's incoming (or outbound) optical signal HAS NO CORRESPONDENCE WHATEVER TO A DESTINATION APPARATUS.** Accordingly, the inadequately supported 103 rejections should be withdrawn, and claims 35-52 allowed.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of patentability of Applicant's added claims.

In the new Claim 53 (see, e.g., FIG. 11(b)) and new Claim 59 (see, e.g., FIG. 11(c)), each first and second networks is allotted a frequency, a first optical frequency and a second optical frequency respectively, of optical signal comprised in the optical frequency division multiplexed signal. Each first and second networks has it's own optical frequency conversion unit that converts the allotted frequency to the third frequency shared by the first and second networks. To achieve this, the optical frequency selection unit guides the optical signal having first optical frequency to the first network's optical frequency conversion unit and guides the optical signal having second optical frequency to the second network's optical frequency conversion unit.

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8136-06EX
Page 19

The cited invention (Suzuki et al USP 4,845,703) discloses totally different system from new Claim 53 and 59. The wavelength switching stage 30 (under control and selection by the processor 60) switches the wavelength of input signal to an available space switch wavelength, and the wavelength switching stage 50 (under control and selection by the processor 60) switches the wavelength from the available space switch wavelength to each terminal's unshared wavelength. The purpose of the wavelength switching of cited invention is to adjust the wavelength to the wavelength transmitted from reference light generator 70. Increasing the wavelength stability with the reference light generator 70, a interchannel crosstalkless switching system is achieved.

Thus, the new claims and the cited invention are totally different, and should be allowed.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next action final.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any

TAKAI, et al., 10/823,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8136-06EX
Page 20

Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-

TAKAI, et al., 10/623,160
31 October 2005 Amendment
Responsive to 29 June 2005 Office Action

500.30802CC4 / B8138-06EX
Page 21

2135 (Case No. 500.30802CC4) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Paul J. Skwierawski
Registration No. 32,173

PJS/slk
(703) 312-6600